HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

–

WRIT PETITION NO. 16378 OF 1996

BETWEEN

Muddunuru Rama Raju & others

.....**Petitioners**

And

The Secretary, Agriculture Market Committee,
Cheepurupalli & others

.....**Respondents**

:: O R D E R::

Counsel for Petitioner : Shri Gudapati Venkateswara Rao

Counsel for Respondents : Shri K. Madhava Reddy, Standing Counsel for Agricultural Market Committee

Dated: 08.06.2006

This petition filed for quashing notice dated 24.07.1996 issued by Secretary, Agricultural Market Committee,

Cheepurupalli ought to have been dismissed at the threshold as a frivolous piece of litigation or at least as premature because, no order adversely affecting the petitioners was passed by any statutory authority and no action was taken against them. However, the fact of the matter is that the writ petition was entertained by the learned Single Judge on the pretext that similar petitions have been entertained.

Even at this stage, I would have dismissed the writ petition as premature and saddled the petitioner with exemplary costs, but the necessity of doing so has been obviated because, learned counsel appearing for the petitioners requests that his clients may be allowed to withdraw the writ petition with liberty to pursue their remedies under the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966 (for short 'the Act').

In view of the statement made by the learned counsel, the writ petition is dismissed as withdrawn with liberty to the petitioners to file reply to the notices issued by the concerned authorities under Section 7(1) of the Act. Needless to say that if the order passed by the competent authority is adverse to the rights of the petitioners, then they shall be free to avail the remedy of appeal and/or seek legal remedies.

G.S.SINGHVI, CJ

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08.06.2006